WASHINGTON STATE
DEPARTMENT OF
ECOLOGY

— Progress Report #2 —

Improving State's Competitiveness through System Reform and Change at Ecology

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Note: Any and all feedback would be greatly appreciated!

I. Summary — Overview of Activities Since Progress Report #1

On February 28, 2002, the Washington State Department of Ecology (Ecology) issued its first progress report on the activities it had undertaken in response to the December 2001 recommendations of the Washington Competitiveness Council. In that report, Ecology outlined its commitment to addressing and resolving the business community's concerns and issues with the Agency, as well as put forth a work plan and schedule to do so. It was Ecology's intent with that first report to demonstrate its understanding of the issues at hand and to convey a genuine willingness and commitment to resolving them. In Ecology's view, these ends were achieved.

With this second progress report, Ecology intends to not only demonstrate a continued sense of accountability and attention to the discrete recommendations of the Competitiveness Council, but to also demonstrate strong engagement in the larger issues surrounding the Council's recommendations, e.g., how to responsibly, predictably, and transparently manage and administer state and federal environmental requirements in a highly competitive business environment. This report describes the steps Ecology has taken to bring about change within the organization and to bring to the organization a changed sense of public service, accountability and commitment to streamlined decision-making. This is done through an overview of Ecology activities and priorities since last progress report, followed by a brief status review of the Agency's work plan to address the State's competitiveness issues. A series of appendices close the report by providing supplemental and more-detailed information.

In the last four months, Ecology has spent considerable time and energy developing a foundation for a renewed and refreshed Ecology. More specifically, Ecology has pursued a number of activities and organizational efforts that it believes will address the larger issues the Competitiveness Council recommendations raise. The remainder of this section provides a summary overview of these activities, organized around several key themes.

A. Establishing Culture of Service, Streamlining and Accountability —

Organizational change is not immediate, nor does it occur in quantum leaps. Rather, organizational change is often incremental and frequently iterative. To be successful, in the context of competitiveness issues, Ecology must achieve commitment at all levels in the Agency. This, in turn, requires strong leadership, a clear vision and a realizable agenda. Cognizant of this, Ecology has taken the following important steps in establishing Ecology as a streamlined, service-oriented organization.

- ***Establishing Culture of Service —*** Through the leadership and direction of the Office of Governor and the Agency's senior- and executive-level managers, Ecology has crafted a strategic vision and

action framework built around the principles of citizen-centered governance, environmental protection, efficient and effective customer service, streamlined permit processes, and regulatory reform. Ecology will use this strategic vision and action framework to improve business practices within the Agency to achieve timeliness and predictability, and to develop a problem solving culture to achieve helpful, responsive and knowledgeable service. In addition, Ecology will use this strategic vision and action framework as a basis for developing service-oriented performance expectations and "codes of conduct" for all staff and managers at the Agency. These performance expectations will in turn be the basis for routine employee and manager performance reviews. [See Appendix A for Ecology's strategic vision and action framework.]

- ***Focusing Staff and Financial Resources on Streamlining and Reform Priorities —*** Ecology has reassigned some staff, on a part-time basis, to help Agency managers develop and set forth a service- and streamlining-oriented strategic vision and action framework, as well as to implement selected work plan action items. In addition, Ecology has redirected some financial resources for next fiscal year to assist with the following immediate projects:
  - Conduct a survey of Ecology's permit customers ($30,000).
  - Target two major permitting processes for an improvement effort, beginning with the 401 water-quality certification process ($10,000).
  - Redevelop the On-Line Permit Assistance System to eliminate redundancy and improve service to potential permit applicants by improving access to permitting information on Ecology's Web site ($25,000).
  - Establish budget placeholder for the 2003-05 biennium for $1,000,000 to address Ecology issues related to permit tracking, data management, permit assistance capacity, and cost-reimbursement coordination. Ecology is proposing to generate funding for this initiative through cuts in its existing budget and reprogramming the subsequent funds. These efforts would integrate and track with those activities being undertaken by the Office of the Governor as part of the new Office of Permit Assistance legislation (i.e., E2SHB 2671, 2002 Legislative Session).

- ***Tracking, Reporting and Making Adjustments on a Regular Basis —*** With the establishment of service-oriented performance expectations, a "code of conduct," and performance measures for timely permit decisions, it will be increasingly important to regularly track and report progress. Performance progress tracking can help the Agency make organizational and resource adjustments that further the streamlining and competitiveness goals and vision of the Agency. Ecology will develop an Ecology-wide master tracking and reporting approach by September 1, 2002.

B. Seeking Advice, Learning from Others, and Using What Works —

Ecology, as a public environmental regulatory agency, has many constituents, customers, and interest groups who are directly affected on a daily basis by the decisions the Agency makes. Ecology also has employees who are highly skilled, long in their tenure at Ecology, and often experts in their fields. The frequent result is strong opinions about how the Agency should be managed, how it should do its business, and what its priorities should be. To best resolve the competitiveness issues facing the Agency, Ecology is clear that it will require the advice, assistance and review of many different people and many different interested parties (internal as well as external) in order to produce lasting solutions. Toward that end, Ecology has taken a number of steps to learn about the successes (and failures) of others and to actively seek comments and advice through a variety of sources, including:

- ***Meeting with City Of Renton —*** Managers from the City of Renton met with Ecology's Executive Management Team on March 27, 2002. The lessons Renton shared with Ecology were:
  - It takes several years to institute significant change (two to three years), but significant progress can be made immediately to improve processes.
  - Renton sought "superior customer service," reinforcing that timeliness and responsive service were management expectations.
  - Renton instituted a pre-design meeting, where developers could bring in preliminary plans.
  - An accountability point is assigned for each review so that staff are not over-ridden by their co-workers.
  - Staff are coached to "get to yes," which doesn't mean that each project will get approved: rather, it means that they are responsible to point out what won't work and to use their expertise to clarify how to make it work.
  - When application information changes, it is documented so that everyone knows what rework is involved and how long it will take.
  - More staff isn't always the answer — need to look to improve processes and laws to obtain efficiencies.
  - Process improvement was a top-down effort that involved staff. Use flow-charting to find duplication and series processes that could be done in parallel. Also look for the number of people involved to target streamlining efficiency opportunities. Remove low-value steps.
  - Each project gets a project manager, whose evaluations are based on meeting timelines that are customized for a project (calendar dates established). Permit schedules are monitored. If the applicant's consultants are not meeting their timelines, the project manager will call to inquire on status.

- These changes involve a process of continuous improvement that never stops. Steps include:
  - ✓ Rewarding and supporting employees.
  - ✓ Hiring the right employees.
  - ✓ Focusing on customer service and problem-solving.
  - ✓ Using codes as tools (i.e., not weapons).

- ***Surveying Ecology's Permitting Customers —*** Ecology has contracted with the U.S. Department of Agriculture Statistics Services to administer a survey on behalf of the Agency. The purpose of the survey is to collect data and information about Ecology's permitting processes. In particular, the survey will seek information about:
  - Customer satisfaction with the quality of Ecology's services (i.e., courteous, helpful, responsive, professional).
  - Customer opinion about the clarity, timeliness and predictability of Ecology's permitting processes.

  The survey will be designed to capture the personal experiences and perspectives of those who seek permit decisions from Ecology and to solicit ideas for improvements. The survey will be conducted in July and early August, following adequate review and input from Ecology's Regulatory Performance Advisors. A report on the findings will be available in September, 2002. Ecology will use the survey findings to inform its improvement efforts. [See Appendix B for a scope of the survey.]

- ***Conducting Comparative Analysis of Permit Performance Timeliness and Other Innovations of Other States —*** Ecology is in the process of collecting permit timeliness performance data from other state's across the country. Ecology will use this information to compare and evaluate other state's permit timeliness against Ecology's and to set Washington State specific permit timeliness benchmarks. As part of this effort, Ecology proposes to engage with ECOS (i.e., the Environmental Council of States), consult with the State of California, as well as may attend the Fourth National Customer Service Conference this coming August.

- ***Convening Group of Regulatory Performance Advisors —*** Ecology convened a Regulatory Performance Advisory Group on April 1, 2002. A second meeting was held on May 29, 2002. Future meetings are scheduled for July 17, August 21 and September 26. The purpose of the group is to guide and advise Ecology as it addresses the issues raised by the Competitiveness Council. In particular, Ecology's Regulatory Performance Advisors will help Ecology:
  - Establish performance standards for permit timeliness.
  - Survey customers and other interests.

- Develop appropriate customer-service standards.
- Initiate and evaluate streamlining pilots.
- Generally help and guide Ecology in forming and implementing a "living" work plan.

[See Appendix C for a listing of Ecology's Regulatory Performance Advisors.]

- ***Contributing to and Learning from Transportation Permit Streamlining Effort —*** Ecology has been actively involved in the transportation permit streamlining process set forth in House Bill 6188 (Chapter 2, Laws of 2001). Products and processes of this streamlining effort that hold particular promise for Ecology and for the non-transportation projects it permits include:
  - *One-Stop Permitting Process* — The process here is built around using interdisciplinary project teams containing all relevant agencies to produce coordinated permit timelines and synchronized decision-making processes. [See Appendix D for the transportation streamlining one-stop permitting process.]
  - *Unified Permit Binder* — The approach here consists of covering and integrating the project development, environmental analysis and permit decision continuum, starting with planning decisions and moving on to permit decision-making. The goal is a single document containing the environmental analysis, impacts, mitigation, permits, and other conditions and requirements associated with a project. This then stands as a key piece of the public record, and can also be incorporated into a web environment for greater clarity and information for interested and affected parties. A $50,000 grant from the Federal Highway Administration has been secured to develop and pilot a unified permit binder. Ecology will co-lead development and implementation of the effort.
  - *Programmatic Approvals* — The approach here requires development of a single, common set of conditions and requirements, approvable to multiple state and federal regulatory agencies, for each of the following high priority WSDOT activities:
    - ✓ Bridge scour repair.
    - ✓ Culvert repair.
    - ✓ Culvert replacement.
    - ✓ Bridge removal.
    - ✓ Maintain fish passage facilities.

Through further work in each of the sub-committees convened to develop and refine the above, as well as through several piloting efforts already under way, Ecology hopes to learn how efficient and effective these processes are, and how exportable to other non-transportation projects they can be.

- ***Initiating Beyond Waste Outreach Effort*** — Ecology is presently developing long-range strategic plans to serve as statewide guidance for properly handling both hazardous and solid waste. Key to this effort will be reaching out to local governments, environmentalists, industry, business and others to look to what the future of waste means and to how to organize and manage for it. Without the input and ideas of those who Ecology regulates, as well as those affected by Ecology's decisions and actions, the likelihood of realizing a vision for the future that calls for the elimination of waste all together will be significantly hampered. In other words, Ecology views the input, advice, and opinion of those external to Ecology as critical to the Beyond Waste effort. [See Appendix E for an overview of the Beyond Waste initiative.]

C. Reviewing and Reforming Existing Permit Decision-Making Processes for Success — Central to Ecology's streamlining and competitiveness effort is a timeline and performance measure review for each of the different permitting and regulatory processes Ecology administers. The goal of such an effort is to seek opportunities for timeline savings, as well as to develop a fuller understanding of any impediments to timeliness that can be rectified. Several examples of Ecology efforts to speed the process, as well as remove impediments to timeliness, are profiled below.

- ***Developing Permit Process Flowcharts/Timelines and Performance Measures —*** Ecology has worked over the last several weeks to review existing permit decision-making processes and to develop flowcharts/timelines and performance measures for each of the major permits the Agency administers. The Agency will use these new performance measures to evaluate actual permit decision-making timeliness and performance. Key permits identified for initial development of flowcharts/timelines and performance measures include:
  - *Shoreline Management Permits* — More specifically:
    - ✓ Substantial Development Permit.
    - ✓ Conditional Use Permit.
    - ✓ Variance.
  - *401 Water Quality Certification* — Both individual 401 certifications and for U.S. Army Corps of Engineers Nationwide permits.
  - *Coastal Zone Management Act Consistency* — For federal projects in the State's coastal counties.
  - *Wastewater Discharge Approvals* — More specifically:
    - ✓ State Wastewater Discharge (New).
    - ✓ State Wastewater Discharge (Renewal).
    - ✓ National Wastewater Discharge (New).
    - ✓ National Wastewater Discharge (Renewal).
    - ✓ General Wastewater Discharge Permit.

[See Appendix F for flowcharts/timelines and performance measures presently under development.]

- ***Focusing in on 401 Water Quality Certification Decision-Making Process —*** Consistent with the findings of the Competitiveness Council, Ecology too has found that the 401 Water Quality Certification permitting process at Ecology needs improvement. In particular, Ecology has concerns as to how predictable, clear, and consistent the decision-making process is. Therefore, Ecology has placed a high priority on the 401 process as a permitting area that needs focused and immediate attention. Ecology has instituted pilots (still underway), conducted a business practice evaluation effort, and otherwise taken a Renton-like look at the 401 Water Quality Certification process at Ecology. In particular, Ecology has:
  - *"Breakthrough Model" Used to Improve Timeliness and Predictability* — Ecology convened a breakthrough team facilitated by a Washington State Department of Labor and Industries expert to develop an improved decision-making model and timeline for the 401 Water Quality Certification process that will be highly coordinated with the applicant and the U.S. Army Corps of Engineers. This model and timeline will be piloted within Ecology's Northwest Region for a six-month period beginning in July 2002. For this process, the following performance measure has been set: "90 percent of projects needing an individual 401 Water Quality Certification will be acted on within 90 days of receiving a reviewable application, unless the applicant requests more time."
  - *Ecology's Southwest Regional Office Conducting Detailed Review and Evaluation of Existing 401 and Shoreline Decision-Making Process* — At the same time as the pilot in Ecology's Northwest Region is going on, Ecology's Southwest Regional Office (SWRO) is also conducting their own review of the existing 401 Water Quality Certification decision-making process. Coupled with this review is a review of the decision-making process used by the SWRO to process shoreline conditional-use permits and shoreline variance permits. The review is intended to provide solid baseline information from which to measure future decision-making timeliness (on average). Review and evaluation will be tracked on a weekly basis by the SWRO managers and completed by October 2002.

- ***Streamlining 401 Certification of U.S. Army Corps of Engineers Nationwide Permits —*** In March, Ecology made new decisions in the Agency's 401 Certification for the U.S. Army Corps of Engineers Nationwide Permit Program to streamline and clarify processes, and reduce the redundancy of the previous program. Specifically,

Ecology changed the threshold for Ecology review of wetland fills from ¼ to ½ acre. Additionally, the Agency eliminated Ecology review for activities already covered under any NPDES permit, or that are consistent with the best management practices in the Ecology stormwater manual, or for Washington State Department of Transportation (WSDOT) projects in compliance with the Agency's Water Quality Implementation Agreement. Ecology estimates that these changes will reduce Ecology oversight on over 150 Nationwide Permit projects per year. Ecology also achieved the additional benefit of systemized coordination with the U.S. Army Corps of Engineers that extends into continued reforms and improved coordination on an ongoing basis.

- ***Seeking Efficiency Gains through Reduced Paperwork and Elimination of Unnecessary Oversight —*** Recent examples include:
  - Ecology has eliminated overview of local Shoreline Substantial Development Permits, thus freeing regional office Ecology staff resources for higher-value review and technical assistance work.
  - New pollution-prevention planning guidance has streamlined reporting for over 600 Washington facilities. Ecology has reduced paperwork by combining three reports into one (reducing 17 reporting worksheets down to three worksheets). Ecology has also created (and strongly encourages using) an electronic submittal option.

- ***Reviewing Interim Isolated Wetland Permitting Process —*** Over the next two months, Ecology will evaluate the interim isolated-wetland permitting process that has been in place for the past year. This evaluation will include contacting applicants who have gone through the process to find out what has worked and what changes they recommend, and contacting key business interests to solicit their comments on how the process has worked and what changes they recommend. The evaluation also will include collecting and analyzing information on how many projects have been reviewed, what types of wetlands have been affected, how long the review process has taken, etc. All of this information will be presented to Ecology management, and decisions will be made on how to proceed with the permitting process from here.

- ***Petitioning U.S. EPA to Opt Out of Duplicative RCRA Process in Favor of Streamlined MTCA Process —*** Ecology has petitioned the U.S. Environmental Protection Agency to streamline the regulation of hazardous waste treatment, storage and disposal facilities by eliminating some federal permitting requirements for such facilities by deferring to use of strictly state authority. More specifically, Ecology wishes to streamline the process for regulating cleanup ("corrective action" under federal law) at TSD facilities by eliminating

the requirement to issue federal permits and to defer instead entirely to use of state administrative orders. The effect would be to reduce one layer of government, and to have a more expedient process. A decision from EPA is anticipated soon. [See Appendix G for further description of Ecology's proposal to streamline regulation of TSDs.]

- ***Processing Water Rights —*** Ecology in the last three quarters of this year has significantly increased the rate with which it has been able to make water rights decisions. The focus has been on processing of water right changes where production has more than doubled that of the previous two years (308 change actions for first three quarters of year, as opposed to 150 a year for each of the last two years). Processing of new water rights has also increased rapidly (154 for first three quarters of this year, compared to 140 in the past 2 year period). Faster processing is the result of additional staffing and legislative changes allowing new streamlined change processing procedures. More specifically, the following were at play and had an effect on increasing supply:
  - Increased staffing from nearly 20 to 50 (part of State Water Strategy budget package).
  - "Two-Line" line bill allowing Ecology to concentrate on change applications and not look at impacts on others in line (part of State Water Strategy).
  - Management and deployment of additional resources and policy.
  - Cost Reimbursement and Conservancy Boards.

- ***Proposal Combining Statewide Phase I and Phase II Municipal Stormwater Permits —*** The proposal here is to develop a Combined Statewide Phase I and Phase II Municipal Stormwater Permit for WSDOT. The permit would cover stormwater discharges associated with the on-going maintenance and operation of WSDOT owned and operated facilities. In addition the permit would define the stormwater requirements for new development and re-development. This approach should reduce need for 401 certification technical support since post construction stormwater requirements for most WSDOT projects would already be defined and covered under an NPDES permit.

- ***Phased Permitting at Hanford —*** Ecology used an innovated "phased" approach to permitting the Hanford vitrification plant, so construction could start faster than under a normal permit process. Rather than requiring the entire project be designed before permits were issued, Ecology issued a permit for the first phase of construction, and will follow up with additional permits as more design work is completed.

D. Replicating and Building on Successful Examples of Streamlining —

Reforming and streamlining the regulatory system is of importance to a larger universe of interested and affected parties than just those interested in what Ecology is doing. Other states, other agencies, and other jurisdictions are themselves undertaking initiatives, attending conferences, looking internally and externally, forming advisory bodies, and doing much of what Ecology is doing. All are trying to learn and find what streamlining models, tools, and approaches work best for their organizations, and how best to implement them. Toward that end, Ecology has sought to continue to promote and implement such successful Ecology approaches as:

- ***Conducting TREE (Toxic Reduction Engineer Efficiency) Initiative —*** Ecology continues to promote its TREE (Toxic Reduction Engineer Efficiency) initiative whereby Ecology engineers with expertise in industrial processes and pollution prevention are brought into select businesses to work in partnership with those businesses to help reduce waste, increase efficiency, and save money. Recent TREE successes include reducing wastewater by 75% and hazardous waste by 100,000 lbs./yr. for and industrial plating business, reducing water use by 100,000 gallons and saving $10,000 annually for Basin Frozen Foods, eliminating 11,000 lbs. of hazardous waste sludge each year at Prototron Circuits, and reducing water use by 200,000 gallons a yea and reducing hazardous waste by 20,000 lbs./yr. [See Appendix H for an overview of Ecology's TREE initiative.]

- ***Implementing Sector-Based Initiatives —*** Ecology has launched a new sector-based technical assistance initiative (called "Cleaner Production Challenge") to help the metal finishing, aerospace parts, and circuit board manufacturing sectors reduce their generation of hazardous waste and waste water discharges through technology transfer trainings, workshops, and success stories.

- ***Enabling Electronic Submittal of Reporting Requirements —*** Ecology continues to refine its electronic submitting of Dangerous Waste Annual Reporting information with the release of Version 2.3 of Turbo Waste (Ecology's electronic submittal software for annual Dangerous Waste Reporting).

- ***Developing General Permits —*** Ecology continues to build on its success with wastewater discharge general permits and will be reissuing general permits for construction stormwater (December 2002) and industrial stormwater (mid-July 2002). Ecology recently issued several general permits for pesticides, and a couple general permits for herbicides. A general permit is designed to cover many dischargers. It is much more efficient than an individual permit, though it takes a year or so to develop because a rule-making

procedure and an advisory group are used (standard procedure at Ecology) to develop the permit.

E. Charting a Plan for the Future (next three to six months) — In addition to the activities and initiatives profiled above which Ecology will be (and is in many cases already) pursuing, other reform and streamlining-oriented ideas and activities that Ecology will pursue over the next several months include:

- ***Proposal Consolidating Ecology Permitting Responsibility for WSDOT Projects into Single Permitting Group within the Agency —*** Presently permitting responsibility for WSDOT projects is distributed across the Agency through its four regional offices. Under this proposal, responsibility for permitting WSDOT projects would be consolidated into a single permitting team in the Agency's headquarters building. All WSDOT projects would then be permitted out of this single group. Staff would be cross-trained on several permit areas, so that one project manager could manage all of the Ecology aquatic permit decisions (e.g., SEPA, Shoreline, 401 Certification, Coastal Consistency, and Water Quality/Stormwater). For major projects, Ecology would have dedicated specialists working on the big issues. The benefits to such an approach would be:
  - Single-point for permit decisions.
  - Permitting consistency.
  - Greater efficiencies.
  - WSDOT would not have to wait for regional workload to free-up to meet WSDOT priorities, i.e., they would have better control over prioritizing work from Ecology staff that they fund.

- ***Reforming Water-Law —*** Several water law reforms were enacted during the 2002 legislative session (EHB 2993), including:
  - Industries were provided with the opportunity to treat and reuse their industrial wastewater and secure an exclusive right to the treated water, enhancing water supplies for nonpotable uses.
  - Simpler and safer procedures were established for water right holders to preserve their water right in the trust water right program.
  - Simpler procedures were established for permitting of water storage projects by combining permit applications, and expedited processing was established for certain storage permit applications .
  - Ecology was directed to first seek voluntary compliance with water laws by providing information and technical assistance to water users, and to station its compliance personnel within

the watershed communities they serve (as local "watermasters").

Further water law reform legislation will be developed this Fall (2002) for consideration during the 2003 legislative session. In addition, the Governor's Water Team is circulating a revised draft of a water infrastructure funding legislation for review and discussion with legislators and stakeholders. A formal infrastructure funding proposal is scheduled for release in November 2002 and will be introduced for consideration during the 2003 legislative session.

- ***Partnering In Sharing Resources —*** Ecology will continue to seek opportunities to form partnerships with the entities it regulates, and the parties affected by its decisions, so as to ensure it is actively and attentively engaged with its stakeholders. Examples of such partnerships include Ecology's partnership with the Washington State Department of Transportation that has resulted in many innovations and streamlining initiatives, as well as its current Regulatory Performance Advisors Group which promises to be a very important "reality-check" and information and guidance body for the Agency.

- ***Reporting on Future Progress —*** Future Ecology Progress Reports will include performance data on permitting timelines.

II. Streamlining and Reform at Ecology — Work Plan to Address Competitiveness Issues

This section provides a brief status update on Ecology's work plan to address competitiveness issues. Ecology's work plan is a "living" work plan in that it is frequently updated and modified. While it changes overtime in response to input and direction from Agency management, the Agency's Regulatory Performance Advisory Group, and the Office of Governor, it does nonetheless stay consistent in its thrust and direction and as such serves as an important roadmap for Ecology to follow. In addition, it also serves to keep the momentum moving to accomplish the objectives and purposes behind the competitiveness issues.

A. Streamline processes to improve timeliness and predictability.

Action/Tasks/Dates	*Expected Outcomes*
Redesign 401 Certification Process — ▫ Develop standardized system to track permit applications and timelines (Completed, 3/15/02). ▫ Identify team and leader (Completed, 4/20/02). ▫ Launch "Breakthrough" approach (Completed, 4/20/02): – Clarify problem statement. – Identify results to achieve. – Create action plan. ▫ Implement and evaluate results (mid-July).	90% of projects needing an individual 401 Water Quality Certification will be acted on within 90 days of receiving a reviewable application, unless the applicant requests more time.
Develop Streamlined 401 Water-Quality Certification For 404 Nationwide Permits — ▫ Draft to SMT (Completed, 3/08/02). ▫ Adopt final conditions (Completed, 3/15/02). ▫ Implement statewide (Completed, 3/18/02).	Effect will be to limit the number of applicants that have to come to Ecology for 401 approval for certain filling or dredging activities. Expectation will be 150 fewer dredge and fill reviews per year.

Reassess Ecology Requirements for Isolated Wetlands — ▫ Evaluate current process (Begin, 6/15/02). ▫ Discuss with Ecology Senior Management Team (August 2002). ▫ Complete review (September 2002).	Consistent with other Ecology efforts to review existing permitting and regulatory processes, Ecology's approach toward regulating isolated wetland impacts will too be reviewed. In particular, issues related to overlap, duplication, consistency, predictability, and authority will be key to the review, and addressed as appropriate.
Transportation Permit Streamlining — ▫ Implement permit streamlining opportunities with DOT (On-going). ▫ Organize an Ecology project team to manage project workload and improve consistency (Final decision unscheduled). ▫ Shift from individual projects to programmatic permitting (Unscheduled. Dependent upon other resource agencies having funds to participate in development of the programmatics. Ecology has resources now to participate).	Through the streamlining effort, Ecology permit decisions for WSDOT will be more consistent, more predictable, and made within timeframes set and agreed to through the TPEAC process.
Implement Water-Law Reforms — ▫ Continue progress to expedite change decisions (On-going). ▫ Train and support local water conservancy boards (On-going). ▫ Enact additional reforms (2003 Legislature).	Achieve water right permit decisions faster and with greater consistency and predictability through reforms made through the Legislative process, and in coordination with the Office of Governor.
Implement Cost-Reimbursement Contracts and Report Regularly — (On-Going).	Achieve permit decisions faster than might otherwise be made through use of Ecology-secured outside independent contractors whose costs are paid by Ecology and then subsequently reimbursed by the applicant.
Track and Manage Significant Projects on an Ecology-Wide Basis — ▫ Develop matrix format (Unscheduled. To be coordinated with Governor Office and OPA) ▫ Complete and keep updated (On-going, once implemented).	Achieve a higher level of coordination than presently occurs on big projects in order to prevent big projects from stalling in the system, or the decision-making process stalling out.

Learn from other Experiences with Regulatory Reform for "Exportable" Features — ▫ Invite Renton to Executive Management Team meeting (Completed, 3/27/02). ▫ Review and compile information from other states (On-going).	To implement to measurable positive effect streamlining tools, approaches, ideas, and practices considered successful by other states, other parties, other jurisdictions, and from programs and efforts both internal and external to Ecology.
Coordinate with Governor's Office to Implement Legislation for Office of Permit Assistance — On-going. ▫ Provide information on current PAC functions and budget. ▫ Develop options for Ecology assistance/implementation of certain activities. ▫ Support demonstration projects.	Assist with implementation as requested to assist all applicants who use the OPA with getting their permit decision-making needs met as efficiently and effectively as possible.

B. Develop tools to measure and improve timeliness.

Action/Tasks/Dates	*Expected Outcomes*
Develop Flowcharts/Timelines and Performance Measures For Basic Permit Processes (September 2002) — ▫ *Shoreline Management Permits*: – Substantial Development Permit. – Conditional Use Permit. – Variance. ▫ *401 Water Quality Certification*. ▫ *Coastal Zone Management Act Consistency.* ▫ *Wastewater Discharge Approvals*: – State Wastewater Discharge (New). – State Wastewater Discharge (Renewal). – National Wastewater Discharge (New). – National Wastewater Discharge (Renewal). – General Wastewater Discharge Permit.	Flowcharts/timelines and performance measures will have the expected result of more efficient and expedient permit decision-making.

Track and Report Performance on Timeliness — ▫ Develop permit tracking systems or update existing (September 2002).	Tracking and measuring becomes basis for continual improvement.
Consider Centralized Tracking System — (Unscheduled).	Enables better coordination between applicant and Agency. Also enables better coordination within the Agency (staff to staff).
Assess and Resolve Barriers to Timely Decision-Making — ▫ Review and report on case studies/examples within major permit types for successes and system barriers (On-going). ▫ Improve 401/402 connection (Unscheduled). ▫ Work with Paul Isaki on ongoing projects (Boeing, Weyerhaeuser, others).	Hearing from others as to the permitting process with the most problems is key. For that reason Ecology will rely heavily on its survey and Regulatory Performance Advisors initiatives. Expected results following identification of greatest barriers will be smoother, more predictable, and more expedient decision-making for those processes identified as most problematic.

C. Focusing on improved customer service to develop a more helpful culture.

Action/Tasks/Dates	*Expected Outcomes*
Convene External Advisory Group — On-going. ▫ Invite membership (Completed, 3/15/02). ▫ 1st meeting (Completed, 4/01/02). ▫ 2nd meeting (Completed, 5/29/02). ▫ Future meetings (7/17, 8/21, 9/26).	Will play a key role in helping Agency to set its priorities. Will be able to provide Ecology with a "reality check" when needed.
Set and Reinforce Expectations and Standards for Service — ▫ Develop values/practices/behaviors for exceptional service (DRAFT, 6/15/02). ▫ Outline roles/responsibilities (Same above).	Will be effective in establishing changed culture at Ecology.

- Develop program-specific goals, strategies and measures (Unscheduled).
- Develop supporting resources/training (Fall 2002).
- Manage individual performance (Beginning Fall/Winter 2002).
- Develop information for Ecology's Web site (6/2002).

Develop Survey Tools To Solicit External And Internal Feedback —

- Develop external written/phone survey (DRAFT, 3/01/02):
  - Hire consultant.
  - Design survey instrument.
  - Collect and analyze date.
  - Present data.
  - Follow up with respondents.
- Pre-test survey with RPAG (Completed, 5/29/02).
- Administer survey July-Aug 2002.
- Report due 9/02.
- Institute management follow-up with selected businesses for specific feedback (8/31/02).
- Develop focus-group discussions with advocacy groups.
- Develop internal e-mail survey. Survey questions designed and pre-tested July 02.

Will play a key role in helping Agency to set its priorities.

D. Holding ourselves accountable for results.

Action/Tasks/Dates	*Expected Outcomes*
Develop Quarterly Progress Reports — ▫ Develop February progress report (Completed, 2/28/02). ▫ Develop June progress report (Completed, 6/26/02). ▫ Develop Third progress report (Unscheduled).	Ecology's intent with first report was to demonstrate its understanding of the issues at hand and to convey a genuine willingness and commitment to resolving them. Ecology's intent with the second report is to not only demonstrate a continued sense of accountability and attention to the discrete recommendations of the Competitiveness Council, but to also demonstrate a strong engagement in the larger issues surrounding the Council's recommendations, e.g., how to responsibly, predictably, and transparently manage and administer state and federal environmental requirements in a highly competitive business environment.
Coordinate with Governor's Office — ▫ Bi-weekly mtg. with chief of staff (On-going). ▫ Bi-weekly mtg. with Business Assistance (On-going).	Expected outcome is to stay current on the issues, coordinate and collaborate on the pilots and the OPA, and to keep the streamlining momentum going.

III. Appendices

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Appendix A
Strategic Vision and Action Framework

Transforming the Department of Ecology

Vision

Mobilize and transform the agency around a new expectation:

> *The citizens of Washington trust that Department of Ecology employees will support and assist them in promoting the environmental and economic well-being of the state.*

Actions by Ecology *(will be accomplished or begun in 2002)*

The steps we are taking to realize this vision include:

Improved business practices to achieve timeliness and predictability	**Problem-solving culture to achieve helpful, responsive and knowledgeable service**
✓ Establishing flowcharts for basic permit processes ✓ Establishing performance measures and time frames for basic permits ✓ Continuously improving our processes (redesign 401 permitting) ✓ Assessing and resolving barriers to timely decision-making (system improvements) ✓ Tracking and reporting performance in Governor's Performance Agreement ✓ Speed up water-right changes/transfers	✓ Conferring with Regulatory Performance Advisors ✓ Establishing a Code of Conduct and service expectations to support a helpful approach ✓ Developing program-specific goals, strategies and measures ✓ Evaluating and managing individual performance ✓ Soliciting feedback from staff and our customers through surveys

Joint Efforts *(2002-05 time frame)*

- Transfer Office of Permit Assistance; implement Permit Assistance Program to support Governor's Office.
- Support EFSEC siting standards for combustion turbine energy projects.
- Support TPEAC transportation streamlining.
- Work with Paul Isaki on major projects.
- Advance water reform and water infrastructure funding package.

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Appendix B
Scope of Survey

Draft Discussion Paper
Survey of our Permit Customers

April 12, 2002

PURPOSE OF THE SURVEY

This survey will be designed to give Ecology data on the level of satisfaction with responsiveness, courtesy, communication and clarity of our permitting processes. The results of the survey will give us information on where to target improvement efforts.

SPONSOR OF THE SURVEY

Ecology's Executive Management Team (EMT) is the sponsor of this survey. EMT will be actively called upon to support the development of the survey to achieve successful results. A team approach will be used to develop the survey design and questions, determine sample size and distribution. A survey consultant will be hired to pre-test the set of questions, develop methods to maximize percentage of respondents, and process, analyze and summarize the responses. The entire process will be documented for future reference.

EMT will be informed of survey progress on a monthly basis. SMT may be consulted periodically for decision and direction.

SCOPE

Who will be surveyed is a critical question. Our permitting processes have three basic customer groups:

- Permit Applicants
- Interested and Impacted Citizens
- Tribes, Local Government and the Federal Government

Our Permit Applicant group could be quite large. We will need to consider if we want to narrow the focus to certain types of permits or include the entire universe of our permit customers.

Interested and impacted citizens includes environmental groups, special interest groups and citizens that are either impacted by an environmental decision or issue or are interested in the decision or issue. We conducted a survey of local government in 1999 that can be referenced.

The decision on who to survey needs to be thoroughly discussed and debated.

SURVEY OBJECTIVES

The survey has two objectives:

1. Customer satisfaction with the quality of our services (courteous, helpful, responsive, professional)
2. Customer opinion about the clarity, timeliness and predictability of our permitting processes

SURVEY PROCESS

1. Plan
   - Develop timeline, cost estimate and resource requirements
   - Affirm survey objectives
   - Decide what the final report will look like

2. Identify sample group
   - Review list of those who have received our permitting services
   - Determine targeted groups and sample size

3. Survey Type and Questions
   - Affirm survey type – mail survey with follow-up phone calls to non-respondents
   - Write clear questions and cover letter
   - Pretest the survey (May 29th with the Regulatory Reform Advisor's Group)

4. Conduct the survey
   - Survey will be mailed by Ecology
   - Responses will be returned to consultant
   - Follow-up phone calls to non-respondents will be conducted by consultant

5. Data Analysis and Report
   - Consultant compiles data
   - Summarize findings

6. Document the survey process, methodology and results

**** Important Note ** Survey here is a DRAFT instrument still under development with Ecology's Regulatory Performance Advisors Group. It is not to be construed as a final product; rather it is a "works in progress" and for the purposes of this report is intended to provide a sense of scope and flavor to what the survey effort is about.**

THE DEPARTMENT OF ECOLOGY

Survey of Permit Customers
2nd Revised Draft 6/25/02

The Department of Ecology (Ecology) is dedicated to providing you with excellent service. Ecology has contracted with the U.S. Department of Agriculture Statistics Services to conduct a survey of their customer service for environmental permits. The survey has two purposes: to learn your opinion about how well Ecology staff work with you, and to find out what you think about the clarity, timeliness and predictability of Ecology's permitting processes.

Your individual response will be kept CONFIDENTIAL.

GENERAL INFORMATION:

1. Have you applied for a permit from the Department of Ecology within the past:
   - ( ) 1 to 12 months
   - ( ) 12 to 24 months
   - ( ) Longer than 24 months
   - ( ) Never. Please stop here and return the survey.

2. Which Ecology permit did you apply for?
   Please check only one box. If you applied for more than one Ecology permit, please reproduce this survey and complete a separate one for each permit.

Water Quality:
- ¨ National Pollutant Discharge Elimination System (NPDES Individual Permit)
- ☐ NPDES General Permit (Storm water, Dairy, Sand and Gravel, Finfish, Boat Yards, Crop Preparation)

Water Rights:
- ☐ New Permit
- ☐ Change Permit
- ☐ Transfer Permit

Shoreline:
- ¨ Conditional Use
- ☐ Variance

Air Quality:
- ☐ Air Operating Permit
- ☐ Notice of Construction
- ☐ Prevention of Significant Deterioration
- ☐ Temporary Source
- ☐ Agriculture Burning
- ☐ Outdoor Burning: Non Agriculture

401 Certification:
- ☐ Nationwide 401Permit
- ☐ Individual 401 Permit

Other:_____

Waste:
- ☐ Dangerous Waste
- ☐ Biosolids

3. In which county is the facility or site for the permit application located?

_____

4. Was your application for a permit:
   - ( ) Approved, permit issued (including conditionally approved)
   - ( ) Withdrawn by you
   - ( ) Denied, with explanation and further instructions on how to reapply
   - ( ) Denied, with no information on how to reapply
   - ( ) Pending decision
   - ( ) Other _____

PROMPTNESS: How long does it usually take Ecology staff to respond to you?

Response time to:	Within 1 Day	Within 1 Week	2-4 Weeks	Longer than 4 weeks	Does Not Apply	**Is this response time satisfactory?** Yes	No
5. Your phone call?	☐	☐	☐	☐	☐	☐	☐
6. Your e-mail?	☐	☐	☐	☐	☐	☐	☐
7. Your letter?	☐	☐	☐	☐	☐	☐	☐
8. The materials you requested?	☐	☐	☐	☐	☐	☐	☐

SERVICE: Indicate the extent to which you agree or disagree with the following statements. Please circle a number.

COMMUNICATIONS **The Ecology staff working on my application:**	**Strongly Disagree**	**Disagree**	**Agree**	**Strongly Agree**	**Does Not Apply**
9. Communicated clearly.	1	2	3	4	5
10. Were knowledgeable.	1	2	3	4	5
11. Were courteous.	1	2	3	4	5
12. Took the time to listen to me.	1	2	3	4	5
13. Were professional.	1	2	3	4	5

APPLICATION INFORMATION

Ecology staff:

14. Were available to answer my questions about the permitting process.	1	2	3	4	5
15. Informed me about what was needed to submit a complete permit application.	1	2	3	4	5
16. Informed me about how long it would take to get a permit decision.	1	2	3	4	5
17. Were willing to work with me to find alternative solutions.	1	2	3	4	5

PERMITTING PROCESS **The permit:**	**Strongly Disagree**	**Disagree**	**Agree**	**Strongly Agree**	**Does Not Apply**
18. Process was clear.	1	2	3	4	5
19. Forms were easy to use.	1	2	3	4	5
20. Application guidance was clear.	1	2	3	4	5
21. Requirements were clear.	1	2	3	4	5
22. Decision was made within an acceptable time frame.	1	2	3	4	5
23. Decision was clear.	1	2	3	4	5

24. Please describe the most positive aspect of your permitting experience.

25. Please describe the most negative aspect of your permitting process.

26. If you received a permit from Ecology, did the permit requirements achieve the intended environmental gain? Why or why not?

27. Would you be interested in participating in a case study of your permit experience? The case study would illustrate what is working and what needs improvement.
☐ Yes ☐ No

If yes, please provide the following information:
Name:
Organization:
Address:
Town/City: State: Zip Code:
Telephone Number:

Thank You. Please return your completed survey in the envelope provided.

Appendix C
Regulatory Performance Advisory Group

WASHINGTON DEPARTMENT OF ECOLOGY
REGULATORY PERFORMANCE ADVISORS

Members

Representing	*Organization*	*Name*	*Address*	*Phone*	*FAX*
Business	Foster, Pepper & Shefelman	Joseph Brogan	1111 – 3rd Avenue Suite 3400 Seattle, WA 98101-3299	206/447-6407 800/995-5902	206/749-1935
	Washington Roundtable	Phil Bussey	520 Pike Street Suite 1212 Seattle, WA 98101-4001	206/623-0180	206/623-6576
	Association of Washington Business	Grant Nelson	PO Box 658 Olympia, WA 98507-0658	360/943-1600	360/943-5811
Alcoa	alternate for Grant Nelson	Al Piecka	6200 Malaga-Alcoa Hwy Malaga, WA 98828	509/663-9273	509/663-9399
Forest Products	Washington Forest Protection Assoc.	Bill Wilkerson	724 Columbia Street NW Suite 250 Olympia, WA 98501	360/352-1500	360/352-4621
	Port Townsend Paper	Eveleen Muehlethaler	PO Box 3170 100 Mill Road Port Townsend, WA 98368	360/379-2112	360/379-2097
Aerospace	Boeing	Kirk Thomson	PO Box 3707 MC7A-XE Seattle, WA 98124-2207	425/865-6709	425/865-6608
WA Environmental Council	Brown Reavis & Manning PLLC	Rod Brown	1201 Third Avenue Seattle, WA 98101	206/292-2605	
Local Government	Snohomish County	Steve Holt	3000 Rockefeller Avenue MS: 407 Everett, WA 98201	425/388-3123	425/388-3434
	City of Seattle	Chuck Clarke	Dexter Horton Bldg. 710 Second Ave. Seattle, WA 98104	206/684-5851	206/684-4631
	City of Elma	Chris Brown	202 West Main PO Box E Elma, WA 98541	360/482-4482	360/482-4960
Irrigation District	Sunnyside Valley	Jim Trull	PO Box 239 Sunnyside, WA 98944	509/837-6980	509/837-2088
Grower		Alex McGregor alternate Heather Hanson	McGregor Company PO Box 740 Colfax, WA 99111-0740	509/397-5355	509/397-2524
Food Processors	NW Food Processor Association	Craig Smith	PO Box 3937 Salem, Oregon 97302-0937	503/371-3123	503/391-7292

Ports	Port of Kennewick	John Givens	101 Clover Island Dr. Kennewick, WA 99336	509/586-1100	509/582-7678
Economic Development	New Vision-Yakima County Development Association	Dave McFadden	PO Box 1387 Yakima, WA 98907	509/575-1140	509/575-1508
Resource Industry	TeckCominco	Dave Godlewski	15918 E. Euclid Ave, Spokane, WA 99216-1815	509/892-2584	509/892-2591
Tribes	Northwest Indian Fisheries Commission	Bob Whitener	6730 Martin Way E. Olympia, WA 98512	360/438-1180	360/753-8659
League of Women Voters		Lucy Steers	2817 Cascadia Avenue So. Seattle, WA 98144	206/725-8691	206/723 - 6903
Labor	WA State Building Trades Council	Mitch Seaman	215 Turner Street NE Olympia, WA 98506	360/357-6778	360/357-6783

Appendix D
One-Stop Permitting

Version Adopted by TPEAC on May 8, 2002

Preface

Inherent in the successful implementation of this process is collaborative and timely action on the part of all agency staff to address issues associated with environmental review and permitting. Steps 1-6 of this process shall constitute the one-stop permitting process. Dispute resolution, when necessary, is intended to resolve disputes in a timely fashion as they may arise. This process is applicable to TPEAC designated pilot projects and to projects of statewide significance.

Step1: Project Definition / Interdisciplinary Teams

Appropriate agencies will be contacted at the onset of Project Definition for the formation of Interdisciplinary (ID) Teams for projects not covered by programmatic permits. ID Teams of WSDOT, permitting/resource agency, affected tribes, and private or public sector discipline experts (including engineers) will be chartered and convened to: define the project's impacts; elicit input from the agencies and others for the level of detail, appropriate avoidance, minimization and type and place of mitigation and conditions for the permit; set a master timeline and schedule; and address agency resource needs, consistent with Chapter 47.06C RCW. The ID Team will remain in existence from Project Definition into Design through Plans Specifications & Estimates (PS&E) and construction, in order to influence and respond to design and construction changes.

The ID Team will develop a charter to address such items as permitting and meeting schedules, communication protocol, and other coordination issues. The time period for Step 1 could range from one meeting to in excess of one year, depending upon the complexity of the project.

Step 2: Unified Permit Application (WSDOT prepared)

This collaborative effort would then be reflected in a unified permit application drafted by WSDOT and submitted to the agencies for concurrent review. To facilitate the process, WSDOT may consider requesting a waiver of applicable permit timelines.

Step 3.

The unified permit application will be submitted to the agencies for independent review and to initiate public involvement processes in conformity with applicable statutes, regulations, and policies. Agencies will conduct their public review processes concurrently, including unified public hearings, to the extent possible. Upon submission to the agencies, the permit application is a matter of public record and is available for public review through WSDOT.

Step 4.
The IDT will be reconvened to go over the comments. Each agency will follow its own procedures and work with WSDOT to revise the permit application to incorporate conditions required by the respective agencies. The IDT will update the schedule established in Step 1, as it pertains to Step 5 re-submittal of the unified permit application.

Step 5: 30 Day Final Agency Permit Application Review – Approval Step
WSDOT will resubmit the unified permit application to all agencies for final review. All reviews of the final document will be completed within thirty days, at which time the permitting agencies will act upon the application by either issuing the permit or returning the application without approval. If the application is returned without approval, the permitting agency must identify errors or omissions and any remaining specific deficiencies or circumstances that must be met or addressed to be compliant with applicable law. Agencies withholding approval have this one opportunity to identify permit application deficiencies.

Step 6: Deficiency Review/Final Action
WSDOT may revise the permit application as warranted and resubmit the application to the permitting agency, which will have 30 days from receipt of the revised permit application to take final action.

Dispute Resolution
It is possible that disputes may arise among agencies represented on the ID Team at any of the steps in the One Stop Permitting Process. Every effort should be made to resolve such disputes at the agency level. Disputes in the permitting process, up to but not including final action, that cannot be resolved at the agency level will be addressed by the Dispute Resolution Process established by the TPEAC Committee. Disputes relating to final actions taken by a permitting agency will be resolved through the appropriate statutory appeal process set forth for each respective action. The dispute resolution process may not abrogate or supplant any appeal right of any party under existing statutes.

Appendix E
Beyond Waste

Focus

BEYOND WASTE
Strategic Plans for Solid and Hazardous Wastes

The Department of Ecology (Ecology) is developing long-range strategic plans for properly handling both hazardous and solid wastes. The Hazardous Waste and Toxic Reduction Program and the Solid Waste and Financial Assistance Program are collaborating on this project, named "Beyond Waste." A vision of a preferred future has been proposed for both plans: that we can transition to a society that views wastes as inefficient uses of resources and believes that most wastes can be eliminated.

State law (RCW 70.105 and 70.95) requires Ecology to develop statewide solid- and hazardous-waste plans and to update them regularly. The purpose of these plans is to provide statewide guidance for properly managing wastes.

Why these strategic plans are needed now

Overall, waste generation is on the rise, despite massive recycling programs and pollution-prevention efforts. Natural resources are being used much faster than they can be replenished. Virgin resources, such as fossil fuels, toxic and nontoxic minerals, and metals, are extracted from the earth's surface and then redeposited, often in more harmful forms, back into the environment. Humans depend on this same environment to provide water to drink, air to breathe, and soil to grow food.

From a public-safety perspective, public awareness is increasing about the large amount of hazardous materials being hauled by road, rail and sea. Besides vulnerability due to the nature of the substances in question, the risk of accidents climb as the volume transported continues to grow.

Approximately 44 pounds of hazardous waste and 2,840 pounds of non-hazardous waste per person per year are generated in Washington. This estimate includes only the wastes tracked by Ecology. Many waste materials are not counted. Handling these materials is expensive and

can be hazardous. Exposure to certain wastes may pose greater risks to health, air, waters and lands than previously believed.

Waste poses risks to public safety, human health, and our environment. Clearly, we can no longer afford it.

Left unchecked, the situation will become much worse. The responsible approach is eliminating waste, when possible, and better using the remaining resources.

Issues

To begin working toward this fundamental transition, a number of problems, issues and opportunities will be addressed in the Beyond Waste project, including:

- Assessing the quantities and effects of the universe of waste materials
- Improving waste reduction, recycling, composting, pollution and waste prevention planning
- Evaluating the effectiveness of existing programs, regulatory systems, program activities and performance measures
- Ensuring that wastes are disposed more responsibly and that pollution caused by past disposal is cleaned up
- Proposing public policy changes and new initiatives that further the goal of eliminating wastes

Results

In the short-term, the plans should position Washington to be more effective in reducing wastes through revised policies and programs, including better service to the public, business and government. In the long-term, the Beyond Waste project will guide Washington in a new direction, from containing and managing wastes to preventing wastes from being generated in the first place. This transition will take place as we redesign processes, change consumer and corporate behaviors, re-use more materials, improve technologies and more.. Moving beyond waste to re-use and reduction of materials will take many years. In the interim, the existing handling systems must be maintained and operated effectively.

Schedules

Both strategic plans are being developed over the next two years. The hazardous-waste plan is scheduled to be completed by 2003, and selected strategies should begin being implemented by 2004.

The solid-waste plan has been under way since 2000. Key issues have been researched with people from outside Ecology, and an extensive public review of that research was held during the spring of 2001. The solid-waste plan will also be completed by 2003.

Opportunities to participate

Ecology is committed to working collaboratively on the two plans with people and organizations interested in waste-related issues. A series of roundtable meetings last spring gathered comments and ideas on the solid-waste plan. The hazardous-waste project will

include a series of focus groups to get early feedback on the proposed preferred future. In addition, several public meetings will be held as potential policy options are developed for both plans.

For updates and information about participating in the Beyond Waste project, log onto www.ecy.wa.gov/programs/swfa/swplan. The Web site contains information about the solid-waste plan, but will soon also include information about the hazardous-waste plan.

Another option is to contact either Chris Chapman (Hazardous Waste) at (360) 407-7160 or Cheryl Strange (Solid Waste) at (360) 407-6654.

Ecology is an equal-opportunity agency. If you have special accommodation needs, contact Michelle Payne at (360) 407-6129 (Voice) or (360) 407-6006 (TDD).

Printed on Recycled Paper

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Appendix F
***Under Development ***
Permit Process Flowcharts/Timelines, and Performance Measures

**** Important Note **** The flowcharts/timelines, and performance measures presented below are under development and are, like the survey in Appendix B, considered to be "works in progress." These will be finalized with the help of Ecology's Regulatory Performance Advisory Group by September 1, 2002.**

I. Shoreline Management Permits

Substantial Development Permits (SDP)

- Permit Process Flowchart/Timeline — ***** under development *****
- Performance Measure — Notification of filing date will be made by Ecology within three working days of receiving local SDP for all SDPs.

Conditional-Use Permits (CUPs)

- Permit Process Flowchart/Timeline — ***** under development *****
- Performance Measure — All local Conditional Use Permits will be acted on within 30 days of receiving a complete submittal.
- Performance Measure — Determinations of complete submittals will be made within 10 days of receipt by Ecology.

Variances

- Permit Process Flowchart/Timeline — ***** under development *****
- Performance Measure — All local Variances will be acted on within 30 days of receiving a complete submittal.
- Performance Measure — Determinations of complete submittals will be made within 10 days of receipt by Ecology.

II. 401 Water Quality Certifications

- Permit Process Flowchart/Timeline — ***** under development *****

- Performance Measure — Ecology is piloting the following performance goal in its Northwest Regional Office over the next six months: "90 percent of projects needing an individual 401 Water Quality Certification will be acted on within 90 days of receiving a reviewable application, unless the applicant requests more time." [Note: Applicants for individual 401 permits often ask Ecology to delay its 401 review because the applicant anticipates changing the project footprint in response to U.S. Army Corps of Engineer review of the project.]

III. Coastal Zone Management Act Consistency

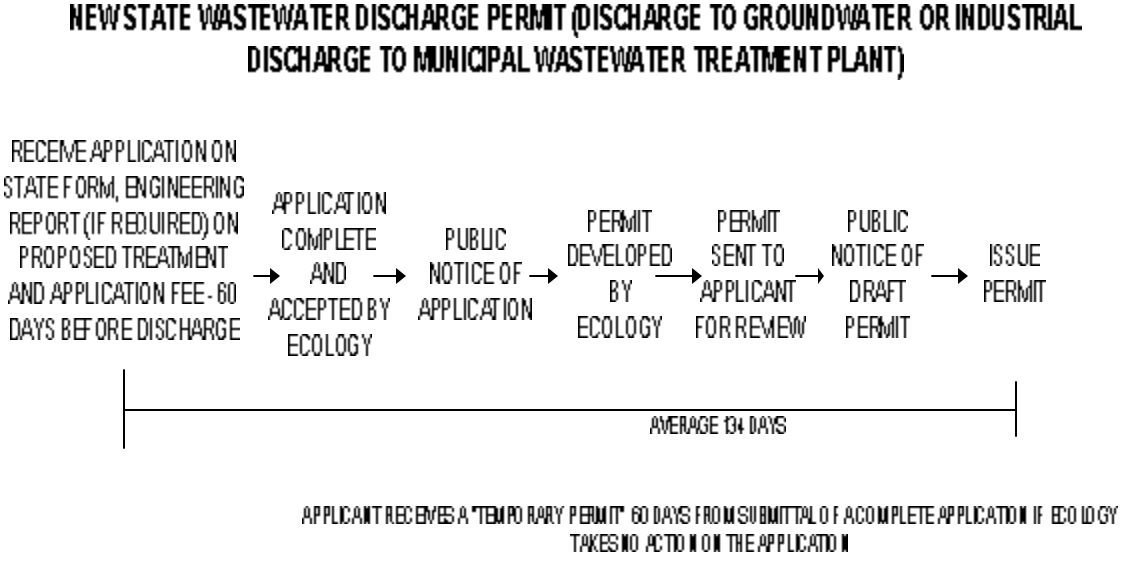
- Permit Process Flowchart/Timeline — ***** under development *****

- Performance Measure — Consistency determinations not involving a U.S. Army Corps of Engineers 404 permit and state 401 Water Quality Certification will be acted on within 30 days of receiving notice.

IV. Waster Discharge Approvals

State Wastewater Discharge Permit (New)

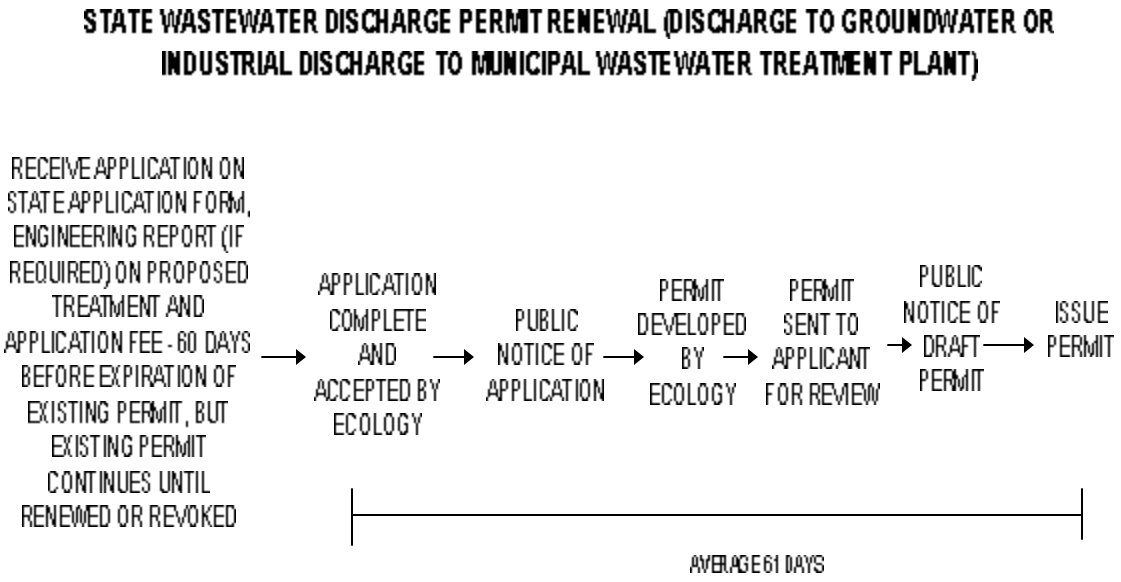
- Permit Process Flowchart/Timeline —



- Performance Measure — ***** under development *****

State Wastewater Discharge Permit (Renewal)

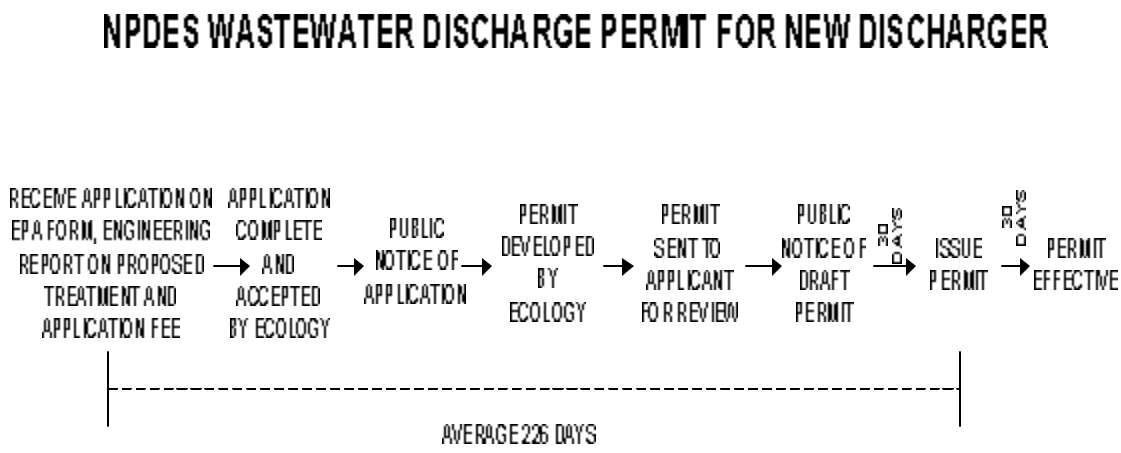
- Permit Process Flowchart/Timeline —



- Performance Measure — ***** under development *****

National Wastewater Discharge Permit (New)

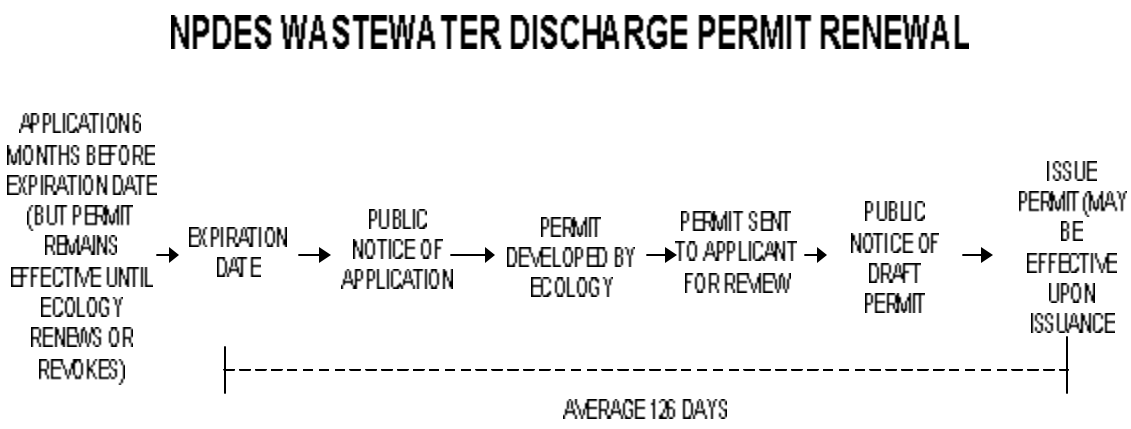
- Permit Process Flowchart/Timeline —



- Performance Measure — ***** under development *****

National Wastewater Discharge Permit (Renewal)

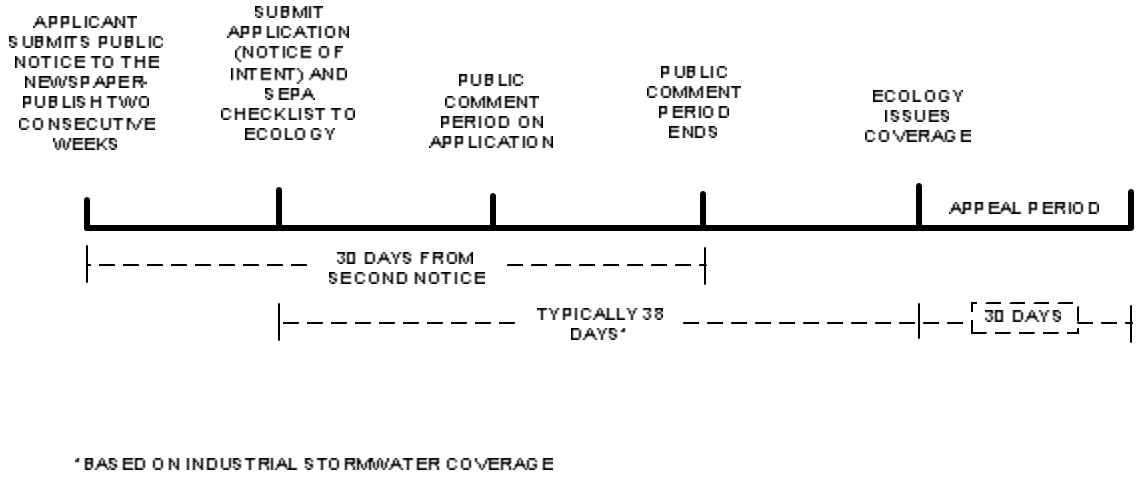
- Permit Process Flowchart/Timeline —



- Performance Measure — ***** under development *****

General Wastewater Discharege Permit

- Permit Process Flowchart/Timeline —



- Performance Measure — ***** under development *****

Appendix G
Streamlining Regulation of TSD Facilities

Use of the State Model Toxics Control Act (MTCA) for Implementing Corrective Action and Post Closure at Treatment, Storage and Disposal Facilities (TSDs)

While Ecology has been authorized by EPA to carry out corrective action at TSDs that threaten human health and the environment, EPA has required that such corrective action be implemented under a final status TSD corrective action or post-closure permit. Like operating and closure permits, these corrective action and post-closure permits can only be issued following a very prescriptive application procedure, preparing draft permits, taking public comment and finally issuing the permit.

Ecology is looking for a tool that will restore these sites and protect human health and the environment as quickly, flexibly and effectively as possible. Ecology wishes to use MTCA in lieu of permits for those TSDs that are no longer receiving wastes and would receive a permit solely for corrective action and/or post closure, and seeks approval from EPA Region 10 to do so..

Why does Ecology want to use MTCA in lieu of permits?

- Orders issued under MTCA achieve the same ends as the more prescribed process of issuing a corrective action or post-closure permit. There is no environmental advantage to using permits over issuing MTCA orders.
- All of the permitting and corrective action activities pull out of the same pool of staff. Adding any new or unnecessary requirements takes away from timely forward progress on cleanups.
- The MTCA tool would have wide use and provide a mechanism for Ecology to more quickly and effectively protect and clean up the environment while at the same time speeding progress on GPRA commitments.
- The tedious permit application and completeness cycle could be avoided and energy spent on other aspects of the cleanup.
- MTCA allows staff time spent on the corrective action to be cost recovered from the principal responsible parties or from the Model Toxics Account; resources for work on RCRA permits come mainly from federal grant funds.
- Use of MTCA could become a mechanism for TSDs to terminate interim status under RCRA rules.

Ecology could potentially use MTCA orders (in lieu of permits) on a number of Washington State sites including Reichhold Chemical Corporation, BSB Diversified Inc., Kaiser Aluminum & Chemical Corporation, Philip Environmental – Washougal, Philip Terminal 91, and Occidental Chemicals, Inc.

To discuss this proposal in more detail please contact Greg Sorlie, Hazardous Waste and Toxics Reduction Program Manager, at (360) 407-6702.

Appendix H
TREE Initiative

WASHINGTON STATE DEPARTMENT OF ECOLOGY

Focus

The TREE Project

Generate less waste, improve your company's efficiency, and save money! Ecology's TREE team can help!

What is TREE and how can it benefit your business?

The Toxic Reduction Engineer Efficiency (TREE) team is a group of Ecology engineers with expertise in industrial processes and pollution prevention. The team can find ways to reduce your waste, increase your efficiency and save you money. TREE is a free technical assistance service (i.e. non-regulatory) for businesses. After a review and analysis of your business's operation the TREE team will provide suggestions in a report for your use.

In 1999, TREE worked with three companies in Washington. The team made suggestions that reduced water use by 22 million gallons and could reduce hazardous waste generation by 32,000 pounds. By using the information supplied by Ecology's TREE team, these companies could save a total of $94,000 each year.

The successful TREE team earned the Governor's Award for Service & Quality Improvement in 1998. The team was also commended by Governor Gary Locke in his recent "Governing for Results" report.

What has TREE done for Washington businesses?

Recent TREE projects include:

Industrial Plating

Implemented TREE recommendations have:

- Reduced water and wastewater use by 75 percent;
- Reduced hazardous waste production by 100,000 pounds each year;
- Saved the company $57,000 in 1999.

"It's a win-win approach! With our limited resources, we were able to achieve remarkable success with TREE. Working with the TREE team is a real

education, you can see where opportunities are and how simple techniques can reduce waste and save money." *Bob James, General Manager*

Basin Frozen Foods
Implemented TREE findings have:

- Reduced daily water consumption by 100,000 gallons;
- Improved wastewater quality dramatically; and
- Saved approximately $10,000 annually.

"I give the TREE team as high a recommendation as I can. I'm glad they came down and gave us a hand." *Rich Tolman, Plant Manager*

Prototron Circuits
Suggested improvements to Prototron's plating, rinsing and waste treatment operations should:

- Save Prototron more than $50,000 per year after an eight-month payback; and
- Eliminate 11,000 pounds of hazardous-waste sludge each year.

The TREE team is "helpful and pleasant to work with … they did their homework before they came." Kevin Richardson, Plating Manager

Rainier Ballistics
Implementing TREE findings can:

- Reduce water use by about 200,000 gallons a year;
- Save $30,000 annually; and
- Reduce hazardous waste by more than 20,000 pounds each year.

"I found the entire TREE team to be very courteous, professional and of incredible value to my firm. They helped show us ways to possibly save money, while at the same time reducing the amount of hazardous waste we create." *Eric Hampton, General Manager*

How do I know if my business is a potential TREE candidate?

The ideal candidates for TREE projects are small- to medium-sized, private companies that are willing to work with Ecology to optimize resource use. Applications are welcome! Anyone may complete and submit a project application form which is sent directly to the TREE team members. You can obtain an application from the Ecology web site or contact a team member noted below. Even if you are not certain you fit the profile, do not hesitate to apply.

How are businesses selected as TREE projects and

what are the initial steps in the process?

TREE applications are reviewed and ranked each time the TREE team is ready to begin a new project. The top-ranked facilities are contacted to determine their interest in and need for TREE assistance.

The TREE team uses the following criteria to select a facility:

- There is a potential to reduce the affect the facility has on the environment.
- There is potential to improve process efficiency and reduce waste.
- The facility is willing to work in good faith with the TREE team.
- The facility would be willing to implement system changes where economically feasible.
- The facility's management needs TREE assistance, due to the lack of in-house engineering staff or minimal experience with pollution-prevention implementation.

Once your facility is selected for TREE assistance, the team will make several visits to gather information about your processes. A report is developed with specific recommendations on how you can reduce waste generation, reduce resource consumption and increase savings. It is up to you to decide whether or not to implement these pollution-prevention opportunities. Many TREE-suggested opportunities have been implemented by past project facilities, to their benefit.

Where do I go to get more information?

Visit our website at *http://www.ecy.wa.gov/programs/hwtr/tree* or contact one of the TREE team members listed below.

The TREE Team

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